

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Duaine Benard v City of Detroit**
Docket No. **259523**
L.C. No. **03-322397-NO**

Michael J. Talbot, Judge, acting under MCR 7.211(E)(2), orders:

The motion to strike portions of appellant's brief is GRANTED. Exhibits Q, R, S, T, U, V, and W of appellant's brief and the references to them in the body of the brief are STRICKEN as an impermissible expansion of the record on appeal. The record on appeal is confined to the record made in the trial court. MCR 7.210(A)(1) and *Coburn v Coburn*, 230 Mich App 118, 122-123; 583 NW2d 490 (1998), rev'd on other grounds, 459 Mich 874, 875 (1998).

The Clerk is directed to remove Exhibits Q, R, S, T, U, V, and W from appellant's brief and append a copy of this order to the brief.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

August 10, 2005
Date

Sandra Schultz Mengel
Chief Clerk